

# WEST VIRGINIA -ELECTION CONNECTION-

*Your source for Election News from Secretary of State Natalie E. Tennant*

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Issue 22 – March 6, 2012

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## **9 Weeks Until the May Primary!**

On Tuesday, March 6 there will be exactly 9 weeks until the May Primary!

## **Important Dates Coming Up**

- **March 9:** (No later than sixty days before the primary election) Emergency Order to Change Precincts (§ 3-1-7(g), 59-3-1 et. seq.)
- **March 13:** Notice of Number of Sets of Emergency Absentee Voting Commissioners Needed (§ 3-3-5c(b))
- **March 20 - May 8:** (From date of notification through day of primary election) County Clerks Fill Vacancies of Election Officials (§ 3-1-30)
- **March 23:** Approved Voter Registration Program for Eligible High School Students. (At an appropriate time during each school year, but no later than 45 days before a statewide primary election held during a school year) Last day for clerk of the county commission to conduct an approved program of voter registration services for eligible high school students at each high school within the county. (§ 3-2-8)
- **March 23:** Delivery of Absentee Ballots to County Clerk (Not less than forty-six days prior to the primary election) Last day for board of ballot commissioners to have printed and delivered to the county clerk official absent voters' ballots and supplies. (§ 3-3-11, 3-4-10)
- **March 23 - May 2, 2012:** (May 3 for applications received May 2, 2012) Mail Absentee Ballots. Within one day after the clerk has both the completed application and the ballot. Ballots delivered at least 46 days before election and applications due no later than sixth day before election. Upon acceptance of a completed application, the county clerk determines whether the requirements have been met, and mails official absent voter's ballot(s), envelopes, instructions, and any other supplies required for voting the ballot.

If the clerk determines the requirements have not been met, the clerk gives notice that the ballot will be provisional. (§ 3-3-5, 3-3-11)

### **US Justice Department Files UOCAVA Lawsuit Against Alabama**

From a press release issued by the United States Department of Justice:

“The lawsuit, brought under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), was filed in federal district court in Montgomery, Ala. The suit alleges that the state failed to transmit absentee ballots to many of Alabama’s eligible military and overseas voters for the March 13, 2012, primary election in sufficient time for those voters to receive, cast and return their ballots in time to be counted. It also alleges that state procedures are inadequate to ensure that such voters can participate fully in the state’s April 24, 2012, primary run-off election, should one be necessary. The lawsuit seeks an order requiring the state to take all steps necessary to ensure that all affected UOCAVA voters are afforded a full opportunity to participate in the upcoming federal primary elections and all future federal elections.

“The action was necessary because Alabama failed to mail ballots to many of its military and overseas citizens until after UOCAVA’s deadline of Jan. 28, 2012, the 45th day before this year’s primary election. The requested relief will help ensure that Alabama’s military and overseas voters have sufficient time to receive, mark and return their ballots in upcoming and future elections.”

The entire press release from the US Department of Justice can be read at <http://www.justice.gov/opa/pr/2012/February/12-crt-254.html>.

### **From the Election Assistance Commission ...**

From the EAC’s website:

“The Election Directory for Cancellation Notices (2002), which is used by election officials to maintain up-to-date voter registration lists, provides a comprehensive list of state and local election office addresses for sending cancellation notices. When a new voter to your area reports that they were registered elsewhere, use this guide to find the correct address for notifying the appropriate registration official.

Be advised that this practice is not affected by the requirements of the National Voter Registration Act of 1993, which allows the removal of a registrant’s name from the list of eligible voters, provided that this information is confirmed in writing by the registrant.

Dates are provided to indicate the last update received from each state for the listing of addresses. State election directors who wish to provide any updates or substantive changes to the information listed in this directory may contact [VRCancellationContacts@eac.gov](mailto:VRCancellationContacts@eac.gov).”

To download the guide, visit the EAC’s website at [http://www.eac.gov/election\\_management\\_resources/voter\\_registration\\_cancellations.aspx](http://www.eac.gov/election_management_resources/voter_registration_cancellations.aspx).

### **Campaign Finance Training Video**

The video of the final campaign finance training session is now available on the Secretary of State's website at [www.wvsos.com](http://www.wvsos.com). The video runs just under 53 minutes and features Campaign Finance Specialist Greg Watson giving important information for candidates, campaign treasurers, and voters. The video will be permanently available on the website. You can access it by clicking the "Campaign Finance" tab under the "Elections" heading on the front page of the website. Feel free to direct the people in your county to this very informative video – it will answer many questions about the do's and don'ts of campaign finance in West Virginia.

### **Election Law and Reference Manuals Available on Amazon Kindle**

The West Virginia Election Law codebook is now available to download on the Amazon Kindle and devices with the free Kindle application. To download, go to Amazon.com and enter "West Virginia and Federal Election Laws 2011." The Kindle edition of the codebook costs less than a dollar, is searchable, and readers can leave bookmarks at important locations.

While the Kindle version of the codebook does not include all of the case law annotations provided in the hard copy, there are features that are exclusive to the Kindle version. The Kindle version includes the Voting Rights Act of 1965 as amended, the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) of 1986 as amended, the National Voter Registration Act (NVRA/Motor Voter) of 1993 as amended, and the Help America Vote Act (HAVA) of 2002 as amended.

### **Have an idea?**

Is there something that you want to see addressed in the Election Connection? The goal of this newsletter is to keep everyone up to date about challenges facing election officials in West Virginia and to inform everyone about best practices that are being put into place. If you have an idea for a topic, have a question, or if you think there is a subject that election officials around the state would be interested in, please do not hesitate to contact the Secretary of State's Office. You can contact the Elections Division by email at [elections@wvsos.com](mailto:elections@wvsos.com) or (304) 558-6000 or Jake Glance directly at [jglance@wvsos.com](mailto:jglance@wvsos.com). Your input is appreciated.